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Environmental Protection Team  
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Contact: Mrs. Vanessa Holroyd  
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Our reference: PREM/03260/001  
28 November 2012

Dear Mr. Smith

**Licensing Act 2003**

**Name of Premises: Laghetto Restaurant**

**Address: 97 Mabgate, Sheepscar, Leeds, LS9 7DR**

Thank you for submitting your application for the above premises.

Leeds City Council's environmental action service is of the opinion that your application contains insufficient information about how you intend to meet the licensing objective of the prevention of public nuisance. We therefore confirm that we are submitting a formal objection to your application.

However you could meet this objective by incorporating certain identified measures within your operating schedule. Therefore, please find enclosed a document which at part 1 contains the suggested measures which we consider are proportionate and appropriate to the nature of your application.

If you are in agreement with the suggested measures then please complete and sign part 2 of the enclosed form and return the complete document to me as soon as possible. Once we receive this it will be taken that you wish the licensing authority to amend your operating schedule to incorporate the proposed measures. If you have any questions please do not hesitate to contact me.

If you disagree with the suggested measures, then please complete part 3 and return the complete document to me as soon as possible.



If the opening hours as proposed under this application are different to those on the current planning approval, then you should also make an application for variation of hours to planning services. If you operate without planning permission, this may result in a breach of the relevant planning condition. If you wish to discuss this matter further please contact the development enquiry centre 0113 222 4409.

Yours sincerely

Mrs. Vanessa Holroyd  
Senior Environmental Health Officer

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## **PART 1**

**To be completed by the responsible authority**

### **Leeds City Council's Environmental Action Service Proposed Controlled Measures under the Licensing Act 2003**

**Name of Premises: Laghetto Restaurant  
Address: 97 Mabgate, Sheepscar, Leeds, LS9 7DR**

The application premises are situated in a building whose prime use is offices in a mixed use area which includes both industrial and residential units. It is in close proximity to several blocks of flats and also to a flat that is above 93 Mabgate. This application proposes to have opening hours of Monday to Thursday from 11:00 to 23:30 and Friday to Sunday from 11:00 to 02:30 hours the following day. The hours for Recorded Music and Alcohol to be Monday to Thursday from 11:00 to 23:00 hours and Friday to Sunday from 11:00 to 02:00 hours the following day. The hours for late night refreshment to be Friday to Sunday 23:00 to 02:00 hours the following day.

The late hours and entertainment applied for (as well as the possibility of live music) are likely to give rise to noise nuisance from not only music noise but also from the comings and goings of customers until 02:30 hours. It appears that these premises may be more of a late night drinking establishment than a restaurant.

A planning application for the change of use from A1 to A3 with opening hours of Monday to Saturday 10:00 to 00:00 hours and Sunday 10:00 to 23:00 hours was received on 24.10.11. It is still pending a decision because the applicants' planning agent has not responded to requests from Planning for further pertinent information. Therefore these premises do not have planning permission for restaurant use nor are the licensing hours applied for consistent with the hours applied for as part of the planning application.

Having considered the application under the Licensing Act 2003 for the above premises, the Leeds City Council's environmental action service considers that the following measures are proportionate and necessary in order to promote the following licensing objective:

- Prevention of public nuisance

### **Noise and Vibration**

1. Licensable activities shall have the terminal hour of 23:30 with the premises closed at 00:00 hours Monday to Saturday and the terminal hour of 22:30 hours with the premises closed 23:00 hours Sunday.
2. The sale of alcohol shall be ancillary to meals.
3. Licensable activities shall be conducted and the facilities for licensed activities shall be designed and operated so as to prevent the transmission of audible noise or perceptible vibration through the fabric of the building or structure to adjoining properties.

4. Noise from a licensable activity at the premises will not be audible at the nearest noise sensitive premises which are above 93 Mabgate, Leeds, LS9 7DR.
5. There shall be no external loudspeakers
6. Bottles will not be placed in any external receptacle between 11 pm and 7 am the following day to minimise noise disturbance to neighbouring properties.
7. Noise from plant or machinery shall not be audible at the nearest noise sensitive premises during the operation of the plant or machinery. Plant and machinery shall be regularly serviced and maintained to meet this level.

### **Litter**

8. The PLH/DPS shall ensure that litter arising from people using the premises is cleared away regularly and that promotional materials such as flyers do not create litter.

### **Transport / Pedestrian Movement**

9. The designated premises supervisor and any door supervisors will monitor the activity of persons leaving the premises and remind them of their public responsibilities where necessary.
10. A facility will be provided for customers to order hackney taxis/private hire vehicles. Telephone numbers for taxi firms/private hire companies will be displayed in a prominent position on the premises.

Signed:

Dated:

## **PART 2**

**To be completed by the applicant or applicant's representative**

### **Consent for Proposed Controlled Measures under the Licensing Act 2003**

**Name of Premises: Laghetto Restaurant**

**Address: 97 Mabgate, Sheepscar, Leeds, LS9 7DR**

I / We .....

confirm that I am / we are the applicant / the applicant's representative (*delete as appropriate*) for the premises as stated above.

In signing this document I / we agree with the measures proposed by Leeds City Council's environmental action service, and we provide our consent for the licensing authority to incorporate the said measures into the operating schedule for the stated premises.

Signed:

Dated:

Please return this document to:

Environmental protection team  
Leeds City Council  
Knowsthorpe Gate  
Cross Green  
Leeds LS9 0NP

**PART 3**

**To be completed by the applicant or applicant’s representative**

**Proposed Controlled Measures under the Licensing Act 2003**

**Name of Premises: Laghetto Restaurant**  
**Address: 97 Mabgate, Sheepscar, Leeds, LS9 7DR**

I / We .....

confirm that I am / we are the applicant / the applicant’s representative (*delete as appropriate*) for the premises as stated above.

I / We formally advise that we are not prepared to accept the proposed measures as suggested by Leeds City Council’s environmental action service.

In this instance we understand that Leeds City Council’s environmental action service will maintain their representation to my /our application, which will now proceed to a hearing before the licensing sub-committee.

Signed:

Dated:

Please return this document to:

Environmental protection team  
Leeds City Council  
Knowsthorpe Gate  
Cross Green  
Leeds LS9 0NP